

Senator Wynne offered the following amendment: Amend by adding the following:

Provided, That the provisions of this bill shall not apply to regular tax collectors.

Withdrawn.

Senator Buchanan of Grimes offered the following amendment to substitute:

Provided, That this act shall not apply to tax collectors, or to sheriffs, in the collection of taxes, who report, as above provided, each quarter.

Senator Duncan moved the previous question on pending bill, substitute and amendment. Motion seconded and main question ordered.

The amendment of Senator Buchanan of Grimes was lost.

The yeas and nays were called for, when Senator Duncan raised the point of order that the vote was announced before the yeas and nays were called for. Point of order sustained by the President, and bill ordered engrossed by the following vote:

YEAS—17.		
Buchanan of Wood,	Hightower,	Rainey,
Davenport,	Homan,	Shannon,
Duncan,	Houston,	Swain,
Gooch,	Lair,	Terrell,
Harris,	Lane,	Weatherred.
Henderson,	Lightfoot,	
NAYS—0.		
Buchanan of Grimes	Martin of Navarro,	Ross,
Burton,	Moore,	Tilson,
Cooper,	Powers,	Wynne.

A message was received from the House announcing the passage by that body of House bill No. 481, "An act to amend section 11 of an act entitled 'an act to protect the wool-growing interests of the State of Texas,' approved March 25, 1879."

On motion of Senator Lair, the Senate adjourned until 10 A. M. to-morrow.

THIRTY-EIGHTH DAY.

SENATE CHAMBER,
AUSTIN, February 24, 1881. }

The Senate met pursuant to adjournment; the President in the chair.

Roll called; quorum present.

Prayer by the Chaplain.

On motion of Senator Tilson, the reading of the journals was dispensed with, and the same adopted.

Senator Duncan moved that the secretary and second assistant secretary be excused on account of sickness. Adopted.

Senator Burton presented a petition of citizens of Texas, asking that the Legislature pass an act submitting to the voters of the State a constitutional amendment prohibiting the importation, manufacture and sale of intoxicating liquors as a beverage in Texas. Referred to Committee on Constitutional Amendments.

Senator Davenport presented a petition of citizens of Coryell county, protesting against the restoration to the county court of that county of the civil and criminal jurisdiction thereof, and giving sundry reasons therefor. Referred to Judiciary Committee No. 1.

Senator Houston presented a petition of citizens of Bandera county, asking that the Legislature pass an act submitting to the voters of the State a constitutional amendment prohibiting the importation, manufacture and sale of intoxicating liquors as a beverage in Texas. Referred to Committee on Constitutional Amendments.

Senator Burges presented a petition of citizens of the town of Luling and vicinity, in Caldwell county, urging

the passage of the proposed amendment to the Constitution prohibiting the importation and sale of intoxicating liquors. Referred to the Committee on Constitutional Amendments.

Also, a petition of citizens of Llano county, asking that the civil and criminal jurisdiction of the county court of that county be restored. Referred to Judiciary Committee No. 1.

Senator Ross presented a petition of five hundred citizens of McLennan county, asking for the passage of an act submitting to the voters of the State a constitutional amendment prohibiting the importation, sale and manufacture of intoxicating liquors as a beverage in Texas, to be voted on at the next election for State officers. Referred to Committee on Constitutional Amendments.

Senator Henderson presented a petition of colored citizens of Brazos county, requesting that all railroad companies in this State receiving first-class fare for passengers be required to furnish for all persons first-class cars, and that separate first-class cars be provided for colored citizens paying first-class fare. Referred to Committee on Internal Improvements.

Senator Lightfoot presented a petition of 113 citizens of Fannin county, asking that the Legislature pass a joint resolution submitting to the voters a constitutional amendment prohibiting the importation, sale and manufacture of intoxicating liquors as a beverage in the State. Referred to Committee on Constitutional amendments.

Senator Powers presented a petition of Prof. Jasper Starr of Yale Seminary, Henderson county, asking for damages for losses sustained in consequence of his loyalty to the government during the rebellion. Referred to Committee on Federal Relations.

Senator Harris presented a petition of citizens of Milam county, asking for a prohibitory liquor law. Referred to Committee on Constitutional Amendments.

Also, a petition of the friends of temperance in Bell county, asking for a prohibitory liquor law. Referred to Committee on Constitutional Amendments.

Senator Buchanan of Grimes presented four petitions of citizens of Grimes county, asking for a prohibitory liquor law. Referred to Committee on Constitutional Amendments.

Also, a petition of citizens of Grimes county asking that the civil and criminal jurisdiction of the county court of that county be diminished, together with accompanying protest against such diminution by the county judge of said county. Referred to Judiciary Committee No. 1.

Senator Gooch presented a memorial of twenty-five citizens of Larissa, Cherokee county, Texas, asking for a prohibitory liquor law. Referred to Committee on Constitutional Amendments.

Senator Terrell, chairman of Judiciary Committee No. 1, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 24, 1881.

Hon. L. J. Storey, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred House bill No. 385, to repeal "An act to diminish the civil jurisdiction of the county court of Navarro county, and to conform the jurisdiction of the district court of said county to such change," approved July 2, 1879, have considered the same, and instruct me to report the same back and recommend that it do pass.

TERRELL, Chairman.

Bill read first time.

Senator Buchanan of Grimes, chairman of Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 24, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have carefully examined

and compared Senate bill No. 108, "An act to amend articles 340, 340, 352 and 357 of title 17 of the Revised Civil Statutes of the State of Texas, relating to cities and towns; also substitute for Senate bill No. 65, an act to amend chapter 5 of the Penal Code, by adding thereto two articles, to be styled article 113a and article 113b, relating to the accounting of county collecting officers; and Senate bill No. 95, "An act to be entitled an act for the relief of Mrs. Marinda Hyde," and find the same correctly engrossed.

BUCHANAN of Grimes, Chairman.

Senator Moore, chairman of Committee on Stock and Stockraising, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, February 24, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Stock and Stockraising, to whom was referred Senate bill No. 190, a bill to be entitled "An act to amend section 46 of an act to encourage stockraising, and for the protection of stock-raisers, approved August 23, 1876," approved April 22, 1879," have had the same under consideration, and I am instructed to report the bill with the recommendation that it do pass.

MOORE, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 24, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Stock and Stockraising, to whom was referred House bill "To encourage the destruction of wolves and Mexican lions," have had the same under consideration, and the committee unanimously instruct me to report it back, and recommend that it do not pass.

MOORE, Chairman.

Bill read first time.

Senator Gooch introduced a bill entitled "An act to amend articles 2393, 2394 and 2395, chapter 3 of title 42 of the Revised Statutes of the State of Texas, concerning fees of office, and to repeal article 2430 thereof." Referred to Committee on State Affairs.

Senator Tilson introduced a bill entitled "An act to amend articles 1190 and 1191 of the Revised Civil Statutes of the State of Texas, relating to pleadings in suits in which corporations, public or private, are involved." Referred to Judiciary Committee No. 1.

Senator Swain introduced a bill entitled "An act to ascertain the amount due for school-house lands, and for building and rent of school-houses thereon prior to July 23, 1873; and also the amounts due school superintendents for service in the public free schools of the State from September 1, 1873, to August 31, 1876, and to provide for the payment of the same." Referred to Committee on Educational Affairs.

Senator Ross introduced a bill entitled "An act to amend articles 1673, 1678, 1694, 1696 and 1701 of the Revised Civil Statutes of the State of Texas." Referred to Committee on Privileges and Elections.

Senator Moore introduced a bill entitled "An act to create the counties of Lester, Thomas and Sutton out of territory embraced in the unorganized county of Crockett." Referred to Committee on Counties and County Boundaries.

Senator Harris entered a motion to reconsider the vote upon the passage of substitute for Senate bills Nos. 30 and 70, "An act to establish the Twelfth, Fourteenth, Seventeenth, Twentieth, Thirtieth and Thirty-third Judicial Districts, and prescribing the times of holding courts therein; and to provide for the appointment of a district attorney in the Twentieth, and a district judge in the Thirty-third Judicial Districts, and to provide for holding terms of the district courts in certain unorganized counties."

The first special order for to-day being substitute Senate bill No. 7, "An act to provide for the sale of the alternate sections of land in this State surveyed by railroad companies and other works of internal improvements and

set apart for the benefit of the common school fund, and of the university and asylum lands, and to provide for the investment of the proceeds," was taken up, the question being the engrossment of the bill.

Senator Shannon offered the following amendment: Amend by striking out in line 16, section 2, the words "two dollars per acre for all surveys fronting on any stream of water or with permanent fresh water upon it, and not less than fifty cents an acre for surveys distant from water," and insert "one dollar per acre."

Senator Houston moved a call of the Senate. Motion seconded.

Roll called. Absent—Senators Burton, Gooch and Patton.

The Senate not being full, the bill went to the table.

Senate bill No. 52, "An act to regulate the practice of medicine, surgery and pharmacy, and to repeal chapter 3 of the Penal Code," being the next special order on the calendar, was taken up, the pending question being the adoption of the report of the committee, with amendments.

Senator Rainey moved that the regular order be postponed in order to take up Senate bill No. 108, "An act to amend articles 340, 344, 346, 352 and 357 of title 17 of the Revised Civil Statutes of the State of Texas, relating to cities and towns," the bill being on its final passage.

Senator Duncan made the point of order that, under the new rule of the Senate, relative to Senators calling up bills out of their order, the motion was out of order.

The President sustained the point of order, and the consideration of Senate bill No. 52 was resumed.

Senator Houston offered a substitute for the entire bill, which was read.

(Senator Buchanan of Grimes in the chair.)

Senator Martin of Cooke suggested that the Senate was now full, and the further consideration of Senate bill No. 7 should be resumed.

Roll called; Senate full.

A message was received from the House announcing that the House had passed Senate bill No. 32, "An act to regulate the removal of the disabilities of minors;" and that the House had indefinitely postponed Senate Bill No. 2, "An act to repeal article 2234 of an act entitled 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed by the Sixteenth Legislature;" and Senate bill No. 23, "An act to amend article 2266, chapter 4, title 38 of an act entitled 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed by the Sixteenth Legislature of the State of Texas."

Senator Hightower moved that Senator Wynne be excused for the day on account of sickness in his family. Motion adopted.

The consideration of substitute for Senate bill No. 7 was resumed, the pending question being the amendment of Senator Shannon to section 2.

(The President in the chair.)

Senator Shannon withdrew his amendment and offered the following in lieu thereof: Strike out, in line 16, section 2, "fifty cents," and insert "one dollar."

Senator Gooch offered the following as a substitute for Senator Shannon's amendment, viz.: In line 16, section 2, after the words, "the valuation in no case," strike out the words "shall be less than one dollar per acre for school lands," and insert "shall be less than two dollars per acre for surveys having fresh water on them, or bordering on them, nor less than one dollar per acre for surveys suitable for farming, nor less than fifty cents per acre for surveys suitable for pasture only, and without water."

Senator Gooch's substitute for Senator Shannon's amendment was adopted by the following vote:

YEAS—15.

Buchanan of Grimes	Henderson,	Patton,
Burges,	Homan,	Rainey,
Cooper,	Houston,	Swain,
Gooch,	Lane,	Tilson,
Harris,	Martin of Navarro,	Weatherred.

NAYS—13.

Buchanan of Wood,	Lair,	Powers,
Burton,	Lightfoot,	Ross,
Davenport,	Martin of Cooke,	Shannon,
Duncan,	Moore,	Terrell.
Hightower,		

NOT VOTING.

Stubbs.

The amendment as substituted was adopted by the following vote:

YEAS—27.

Buchanan of Grimes	Gooch,	Patton,
Buchanan of Wood,	Harris,	Powers,
Duncan,	Henderson,	Rainey,
Burges,	Homan,	Shannon,
Burton,	Houston,	Stubbs,
Lane,	Lair,	Swain,
Cooper,	Lightfoot,	Terrell,
Davenport,	Martin of Cooke,	Tilson,
Ross,	Martin of Navarro.	Weatherred.

NAYS—2.

Hightower, Moore.

Senator Terrell offered the following amendment: Amend after word "act," on page 3, line 4, by adding the following, viz:

Provided, That no appraisal of a county surveyor of any section situated in the unorganized county shall be regarded until after he shall have filed an affidavit, stating that he knows the locality of said section and has personally inspected the same, stating when said inspection was made.

Adopted.

Senator Martin of Cooke offered the following amendment: In section 6, lines 29 and 30, strike out the words "or Commissioner of the General Land Office," and in section 6 strike out at the end of the section the words "and if the application is made to the Commissioner of the General Land Office he shall make a like record and endorsement," and in section 8, line 2, strike out the words "or Commissioner of the General Land Office."

Senator Duncan moved the previous question on the pending amendment and engrossment of the bill. Motion seconded and main question ordered.

The amendment of Senator Martin of Cooke was adopted by the following vote:

YEAS—24.

Buchanan of Grimes,	Hightower,	Powers,
Buchanan of Wood,	Lair,	Rainey,
Burges,	Lane,	Ross,
Burton,	Lightfoot,	Stubbs,
Cooper,	Martin of Cooke,	Swain,
Davenport,	Martin of Navarro,	Terrell,
Duncan,	Moore,	Tilson,
Harris,	Patton,	Weatherred.

NAYS—4.

Gooch,	Homan,	Houston.
Henderson,		

NOT VOTING.

Shannon.

Senator Duncan moved to reconsider the vote ordering the main question on the engrossment of the bill. Lost.

Senator Duncan made the point of order that a quorum did not vote on the question just voted on (only seventeen voting). Point of order sustained.

The question was again put by the President, and the vote ordering the main question reconsidered.

Senator Cooper offered the following amendment: Amend by adding after the word "land," in line 17, page 2:

All lands valuable principally for timber thereon shall not be

sold for less than one dollar per acre, and no person or corporation shall be allowed to purchase more than four (4) sections of land valuable for timber only.

Adopted.

Senator Lane offered the following amendment: Amend by striking out the word "fifty," in line 2, page 3, and inserting therefor "one hundred." Adopted.

Also, the following: Amend by adding after the last word in section 5, as follows: "And no person shall be permitted to make a second application for the purchase of the same survey." Adopted.

Senator Cooper offered the following amendment: Amend by adding section 16a, as follows:

The owner of any grazing land purchased under the provisions of this act shall, without compensation, be required to allow the opening and laying out of a public road or roads through said land, and shall keep gates at the points of egress and ingress to and from said land.

Senator Davenport moved the previous question on the pending amendment, and the engrossment of the bill. Seconded and main question ordered.

The amendment of Senator Cooper was lost by the following vote:

YEAS—7.

Cooper,	Rainey,	Tilson,
Gooch,	Ross,	Weatherred,
Lair,		

NAYS—21.

Buchanan of Grimes	Hightower,	Moore,
Buchanan of Wood,	Homan,	Patton,
Burges,	Houston,	Powers,
Davenport,	Lane,	Shannon,
Duncan,	Lightfoot,	Stubbs,
Harris,	Martin of Cooke,	Swain,
Henderson,	Martin of Navarro,	Terrell,

NOT VOTING.

Burton.

The bill was then ordered engrossed by the following vote:

YEAS—24.

Buchanan of Grimes	Henderson,	Moore,
Buchanan of Wood,	Hightower,	Powers,
Burges,	Houston,	Rainey,
Burton,	Lair,	Shannon,
Cooper,	Lane,	Stubbs,
Davenport,	Lightfoot,	Terrell,
Gooch,	Martin of Cooke,	Tilson,
Harris,	Martin of Navarro,	Weatherred.

NAYS—4.

Duncan,	Ross,	Swain.
Homan,		

NOT VOTING.

Patton.

Senator Lane, chairman of the Committee on Finance, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 24, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Finance instruct me to report a bill entitled "An act to provide for the payment of the interest due on the public debt March 1, 1881," with the recommendation that it do pass.

LANE, Chairman.

Bill read first time.

On motion of Senator Lane, the rule was suspended, and bill placed on its second reading, by the following vote:

YEAS—25.

Buchanan of Grimes	Hightower,	Patton,
Buchanan of Wood,	Houston,	Powers,
Burges,	Lair,	Ross,
Burton,	Lane,	Shannon,
Cooper,	Lightfoot,	Stubbs,
Davenport,	Martin of Cooke,	Terrell,
Gooch,	Martin of Navarro,	Tilson,
Harris,	Moore,	Weatherred.
Henderson,		

NAYS—none.
NOT VOTING—4.

Duncan,
Homan,
Rainey,
Swain.

Bill read second time and ordered engrossed.

Senator Lane moved a further suspension of the rules to place the bill on its third reading. Adopted by the following vote:

YEAS—26.

Buchanan of Grimes	Hightower,	Powers,
Buchanan of Wood,	Homan,	Rainey,
Burges,	Houston,	Ross,
Burton,	Lair,	Shannon,
Cooper,	Lightfoot,	Stubbs,
Davenport,	Martin of Cooke,	Terrell,
Gooch,	Martin of Navarro,	Tilson,
Harris,	Moore,	Weatherred.
Henderson,	Patton,	

NAYS—none.
NOT VOTING—3.

Duncan,
Lane,
Swain.
Bill read third time and by the following vote:

YEAS—27.

Buchanan of Grimes	Hightower,	Patton,
Buchanan of Wood,	Homan,	Powers,
Burges,	Houston,	Rainey,
Burton,	Lair,	Ross,
Cooper,	Lane,	Shannon,
Davenport,	Lightfoot,	Stubbs,
Gooch,	Martin of Cooke,	Terrell,
Harris,	Martin of Navarro,	Tilson,
Henderson,	Moore,	Weatherred.

NAYS—none.
NOT VOTING—2.

Duncan,
Swain.

On motion of Senator Lane, the Senate adjourned until 3 o'clock P. M.

AFTERNOON SESSION.

The Senate met pursuant to adjournment; the President in the chair.

Roll called; quorum present.

On motion of Senator Burges, Senator Patton was excused until to-morrow morning at 10 o'clock.

Senator Powers asked and obtained leave to withdraw the report of the Committee on Stock and Stockraising, made this morning on House bill No. 58, "An act to encourage the destruction of wolves and Mexican lions."

The roll of Senators names under the rule, being called, Senator Gooch called up Senate bill No. 157, entitled "An act to provide for leasing the public free school lands of the State of Texas, and prescribing regulations and penalties to render it effective." The bill was read second time.

Senator Davenport offered the following amendment: "Strike out section 9."

Senator Powers offered the following amendment:

Provided, that nothing herein contained shall be deemed to embrace stock of any kind which run at large, and which shall graze on said lands by reason that the same are not enclosed.

Adopted.

(Senator Swain in the chair.)

Senator Rainey, for the Committee on Engrossed Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 24, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Engrossed Bills have examined Senate bill No. 202, being "An act to provide for the payment of the interest due on the public debt March 1, 1881," and find said bill correctly engrossed.

RAINEY, for committee.

(The President in the chair.)

The President, after publicly reading the captions thereof, signed the following bills, viz.: House bill No. 345, entitled "An act to create the Thirty-fourth Judicial District, and prescribing the time of holding the district courts therein, and to provide for the appointment of a district judge and district attorney."

House bill No. 51, entitled "An act to diminish the civil and criminal jurisdiction of the county courts of Henderson, Parker, Lampasas, Blanco, Bexar, Kimble, Nueces, Gillespie, Kendall, Uvalde, Wheeler, Oldham, Bandera, Wharton, McMullen, Medina, Frio, Dimmit, La Salle, Hidalgo, Starr, Zapata, Daval and Burnet counties, and conform the jurisdiction of the district and justices of the peace courts of said counties to such change."

Senator Homan moved the previous question on the pending amendment of Senator Davenport. Motion seconded, and main question ordered.

The pending amendment was then lost.

Senator Burges offered the following amendment: Amend in line 2, section 9, page 5, by striking out "few," and insert "three" instead thereof. Adopted.

Senator Henderson offered the following amendment: Amend the caption of the bill by striking out "and prescribing regulations and penalties to render it effective," and inserting instead thereof, as follows: "and prescribing regulations therefor, and providing penalties against all persons herding cattle, sheep or horses on said lands." Adopted.

Senator Martin of Cooke offered the following amendment: Amend section 2 by striking out, in line 13, the words "one year," and insert instead thereof, the words "some term of years not more than ten." Lost.

Senator Shannon offered the following amendment: In section 2, page 4, insert after the word "State," the words "to the exclusion of other persons." Lost.

The President, after reading its caption, signed Senate bill No. 164, entitled "An act validating the proceedings of the county court of Jackson county."

Senator Burges offered the following amendment: Amend section 7, on page 4, so that the fees to be paid to the surveyor and collector of taxes shall be paid by the party leasing the land.

Senator Duncan moved the previous question on the pending amendment and the engrossment of the bill. Motion seconded and main question ordered.

The pending amendment of Senator Burges was then adopted and bill ordered engrossed by the following vote.

YEAS—24.

Buchanan of Grimes	Hightower,	Ross,
Buchanan of Wood,	Homan,	Shannon,
Burges,	Lair,	Stubbs,
Burton,	Lane,	Swain,
Duncan,	Martin of Navarro,	Terrell,
Gooch,	Moore,	Tilson,
Harris,	Powers,	Weatherred,
Henderson,	Rainey,	Wynne.

NAYS—3.

Davenport,
Houston,
Martin of Cooke.

NOT VOTING—2.

Cooper,
Patton.

House bill No. 481, "An act to amend section 11 of an act entitled 'an act to protect the wool growing interests of the State of Texas,' approved March 25, 1879," was, by the President, referred to Committee on Stock and Stockraising.

Senator Buchanan of Grimes, by leave, introduced a bill to be entitled "An act to diminish the civil and criminal jurisdiction of the county court of Grimes county, and to conform the jurisdiction of the district court of said coun-

ty to such change." Read by caption and referred to Judiciary Committee No. 1.

Senator Cooper, chairman of Committee on Enrolled Bills, submitted the following report :

COMMITTEE ROOM,
AUSTIN, February 24, 1881.

Hon. L. J. Storey, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 104, "An act validating the proceedings of the county court of Jackson county," and find the same correctly enrolled, and at 4:35 o'clock P. M., of this day, presented the same to his Excellency the Governor, for his approval and signature.
COOPER, Chairman.

On motion of Senator Duncan, the Senate adjourned until 9:30 A. M. to-morrow.

THIRTY-NINTH DAY.

SENATE CHAMBER,
AUSTIN, February 25, 1881. }

The Senate met pursuant to adjournment; the President in the chair.

Roll called; quorum present.

Prayer by the Chaplain.

On motion of Senator Shannon, the reading of the journal of yesterday was dispensed with, and the same adopted.

On motion of Senator Buchanan of Grimes, Mr. A. M. Belvin, engrossing clerk, was excused for the day on account of sickness.

Senator Harris presented a petition from citizens of Bell county, asking that a constitutional amendment be presented to the people prohibiting the manufacture, importation or sale of intoxicating liquors in this State. Referred to Committee on Constitutional Amendments

Senator Stubbs presented a petition of the Board of Health, Mayor and City Council of the city of Galveston, requesting the erection of a quarantine station and buildings for disinfecting cargoes at Galveston harbor. Referred to Committee on Industries, Public Health and History of Texas.

Senator Hightower introduced a bill entitled "An act for the collection of the statistics of the State of Texas." Referred to Committee on Agricultural Affairs.

Senator Weathered introduced a bill entitled "An act to prohibit the sale of spirituous, vinous or other intoxicating liquors within five (5) miles of Grapeland Academy, located at the town of Grapeland, county of Houston." Referred to Committee on State Affairs.

Senator Ross, by request, introduced a bill entitled "An act to authorize railroad companies incorporated by or under the laws of this State to exercise rights, franchises and privileges in other States." Referred to Committee on Internal Improvements.

Also, a bill entitled "An act making an appropriation of one-tenth of the poll tax not set apart for the benefit of public free schools, for the organization, maintenance, annual encampment and expenses of the volunteer guards of this State." Referred to Committee on Finance.

Senator Stubbs introduced a bill entitled "An act to amend article 3210 of the Revised Civil Statutes, relating to dormant judgments."

Also, a bill entitled "An act to amend article 2295 of the Revised Civil Statutes, relating to executions against partnership interests." Referred to Judiciary Committee No. 1.

The first special order being Senate bill No. 52, "An act to regulate the practice of medicine, surgery and pharmacy, and to repeal chapter three of the Penal Code," was

sig. 17

taken up, the pending question being the substitute for the original bill, offered by Senator Houston.

Senator Houston offered the following amendment to the original bill: Strike out proviso in line 25 down to and including line 31. Withdrawn.

Senator Hightower offered the following amendments :

Amend in section 5, by striking out the following, to-wit: "if the applicant desires to practice medicine in any of its departments, or surgery, but if pharmacy only, then a fee of," and insert, "The fee for the examination of an applicant for certificate to practice medicine, or surgery, or pharmacy only, shall be." Withdrawn.

Amend section 6, line 23, by striking out therefrom the words, "for the time specified," and in lines 25, 26 and 27, this clause to-wit: "Which time shall be not less than one nor more than five years in the discretion of the board; *Provided*, all certificates shall be granted for the same period."

(Senator Martin of Navarro in the chair.)

The pending amendment was lost.

Senator Terrell offered the following amendment: Add after the word "medicine" the words "in this State," and strike out, in line 13, all after the word "fee."

(President in the chair.)

Senator Wynne moved a division of the question. Carried, and both divisions of the pending amendment adopted.

Senator Houston moved to transpose the first amendment, and make it come after the word "pharmacy," instead of after "medicine." Withdrawn.

Senator Duncan offered the following amendments: Amend section 2, line 11, by inserting between the words "years" and "shall" the following: "And whose moral character is good." Adopted.

Also, strike out all after the word "any," line 3, page 1. Withdrawn

Also, an amendment to insert in line 6, page 4, after the word "but," "if his moral character be good." Adopted.

Also, an amendment to add to section 9, "nor to women practicing midwifery." Adopted.

Also, amendment to change section 10a and 10, so that section 10a shall be section 10, and section 10 shall be numbered 11. Adopted.

Also, amendment to section 11: "This law shall take effect and be in force from and after the first day of July, 1881."

Senator Cooper offered the following, as a substitute for the last amendment: Amend by adding to section 11 as follows: "No person shall be held answerable for the violation of any of the provisions of this act until thirty days after the board of medical examiners shall have held their first annual session after this act goes into effect." Adopted, and substitute, as amended, adopted.

Senator Henderson offered the following amendments: Amend section 6, by inserting in line 7, after the word "seal," the following: "similar to that required for notaries, except, instead of the words 'notary public' on said seal, there shall be engraved the letters M. D." Adopted.

Amend section 8, lines 3 and 4, page 5, by striking out the following: "one-half of such fine to be paid to the informer, and the other half into the county treasury." Adopted.

Senator Burges offered the following amendment:

Provided, that no one shall be held liable to punishment under this act for practicing pharmacy, compounding or selling medicines or filling prescriptions, who does so where no one qualified, under this act, is engaged in said business within a distance of ten miles.

Adopted by the following vote: